United Nations S/2010/602

Security Council

Distr.: General
24 November 2010

Original: English

France and United States of America: draft resolution

The Security Council,

Recalling its previous resolutions and statements of its President relating to the situation in Côte d'Ivoire and in the subregion,

Noting the letter of 22 November 2010 from the Secretary-General concerning the planned run-off elections scheduled to take place in Côte d'Ivoire on 28 November 2010,

Recalling the inter-mission cooperation arrangements provided for in paragraphs 4 to 6 of Security Council resolution 1609 (2005),

Also mindful of the need to support UNMIL's ability to carry out its mandate,

Determining that the situation in Côte d'Ivoire continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to authorize the Secretary-General to temporarily redeploy from UNMIL to UNOCI for a period of no more than four weeks a maximum of three infantry companies and an aviation unit comprised of two military utility helicopters from UNMIL to UNOCI;

2. *Decides* to remain actively seized of the matter.

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Security Council

Distr.: General
24 November 2010

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Report of the Secretary-General on his mission of good offices in Cyprus

I. Introduction

1. The Cyprus problem has been on the agenda of the Security Council for close to 47 years. The Secretary-General was first asked to use his good offices to seek out a durable solution in Cyprus in March 1964 (Security Council resolution 186 (1964)). Since then successive Secretaries-General and their Special Advisers have undertaken efforts, including the intense yet unsuccessful efforts between 1999 and 2004, to assist the two sides in achieving a comprehensive settlement. As more than four decades of reports to the Security Council have documented, there have been many missed opportunities.

2. Successive Secretaries-General have struggled to reconcile the goal of helping to find a solution for the people of Cyprus with the perpetual challenges of sustaining a useful process. Indeed, the international community has continued, over decades, to invest in the possibility that Cyprus could be the standard-bearer of peace in a troubled region. There is no doubt that the overall peace dividend would be huge for Cyprus, Turkey, Greece and the European Union. The enormous potential in trade, tourism, transport and financial services continues to be stifled by the protracted dispute. Apart from opening up vast economic opportunities for both communities, a comprehensive and durable settlement is the only way that the insecurity suffered by generations of Greek and Turkish Cypriots can be removed. Only through a peaceful settlement can the wounds suffered by both sides begin to heal.

3. In June 2010, my Special Adviser briefed the Security Council on the developments in the negotiations. He recognized that the way ahead was politically difficult for both leaders. He identified the need for the leaders to employ courage in forging a solution and emphasized that both leaders would benefit from the continued support of regional and international actors. The Security Council subsequently adopted resolution 1930 (2010) on 15 June 2010, in which it strongly urged the leaders to increase the momentum in the negotiations to ensure the full exploitation of this opportunity to reach a comprehensive settlement. I proposed in my report of May 2010 (S/2010/238) that I would monitor closely the progress in the negotiations over the following six months. The present report provides my assessment of the state of the process and offers recommendations for the consideration of the Greek Cypriot and Turkish Cypriot leadership and their

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respective communities. I will submit an updated assessment to the Security Council in three months' time.

II. Background

4. The current round of negotiations was initiated following the agreement of 21 March 2008 between the Greek Cypriot leader, Demetris Christofias, and the Turkish Cypriot leader, Mehmet Ali Talat. On 23 May 2008, the two leaders reaffirmed their commitment to a bizonal, bicommunal federation with political equality, as defined by relevant Security Council resolutions. This partnership will have a Federal Government with a single international personality, as well as a Turkish Cypriot Constituent State and a Greek Cypriot Constituent State of equal status (see S/2008/353). On 1 July 2008, in a joint statement, the leaders stated that they had "discussed the issues of single sovereignty and citizenship which they agreed in principle". A further joint statement was issued on 25 July 2008, which affirmed that: "The aim of the full-fledged negotiations is to find a mutually acceptable solution to the Cyprus problem which will safeguard the fundamental and legitimate rights and interests of Greek Cypriots and Turkish Cypriots. The agreed solution will be put to separate simultaneous referenda".

5. In a joint statement issued on 21 December 2009, the leaders expressed the strong hope that 2010 would be the year of solution of the Cyprus problem. On 1 February 2010, the leaders issued a joint statement renewing their strong commitment, recognizing that time was not on the side of a settlement and expressing confidence that with goodwill and determination they could achieve a solution in the shortest possible time. In a joint statement on 30 March 2010, just prior to the suspension of the talks to allow for the Turkish Cypriot leader to contest elections in the north, the leaders reiterated their conviction that their will for a solution would soon lead them to a mutually acceptable solution.

6. On 18 April 2010, a new Turkish Cypriot leader was elected. The new Turkish Cypriot leader, Dervis Eroğlu, and Mr. Christofias both wrote to me affirming their commitment to continue with the talks. The negotiations resumed on 26 May 2010. As reflected in my message made the same day, the leaders agreed to continue the negotiations on the basis of the United Nations parameters, relevant Security Council resolutions and the joint statements made on 23 May 2008 and 1 July 2008.

7. The full-fledged negotiations have now been under way for more than two years. The specific request of the leaders was that the negotiation process must be Cypriot-led and Cypriot-owned. The leaders crafted a structure for the negotiations that involved six working groups, seven technical committees and the full-fledged negotiations, which included both meetings between the leaders and meetings between their chosen representatives. The parties requested that the United Nations host and facilitate the talks. The methodology adopted for the negotiations, as agreed by the leaders, was based on the principle that "nothing is agreed until everything is agreed".

8. From the start of the full-fledged negotiations in early September 2008 until mid-November 2010, the leaders met 88 times. The meetings between the leaders included 29 meetings to discuss issues relating to the governance and power-sharing chapter, 5 meetings on the European Union matters chapter, 8 meetings on the economic matters chapter, 25 meetings on the property chapter, 4 meetings on the

territory chapter and 2 meetings on the security and guarantees chapter. They also held six meetings to discuss the related issues of citizenship, immigration, aliens and asylum. At the leaders' request, additional meetings between the respective representatives and technical meetings at the expert level also took place in order to prepare the groundwork for fuller discussions.

III. Status of the process

9. In assessing the status of the process, I believe it is useful to break down the talks to date into three specific stages: the preparatory period; the initial stage of the negotiation process (up to the elections in the north); and the current stage, involving a new Turkish Cypriot leader. If we include the preparatory period as an integral part of the current negotiations, the talks have now been ongoing for just over two and a half years.

Preparatory period

10. The historic meeting between the Greek Cypriot leader, Demetris Christofias, and the Turkish Cypriot leader, Mehmet Ali Talat, on 21 March 2008 ended four years of standoff between the two sides. At that time, it was decided that a number of working groups and technical committees would be set up to prepare the groundwork for the resumption of full-fledged negotiations. The leaders further agreed to meet again three months later to review the work of the groups and committees and, using their results, to begin the negotiations under my auspices.

11. Also during the meeting of 21 March 2008, the leaders decided to open a crossing at Ledra Street in the centre of old town Nicosia, which had for many years been a symbol of the division of Cyprus. This represented one of the first major confidence-building measures implemented by the two sides. On 3 April 2008, in the presence of citizens from both sides of the divide and members of the international community, Ledra Street was opened by the representatives of the two leaders and the Greek Cypriot and Turkish Cypriot mayors, 44 years after its closing.

12. On 22 April 2008, six working groups and seven technical committees, with representatives from each community, were formally established. The working groups — addressing governance, European Union matters, security and guarantees, territory, property and economic matters — were mandated to seek as much convergence as possible on core areas, highlighting where the sides could not reach agreement and outlining possible options for resolution. The technical committees were tasked with dealing with issues directly affecting the daily lives of members of both communities, including crime/criminal matters, economic/commercial matters, cultural heritage, crisis management, humanitarian matters, health and the environment. The objective of the work of the technical committees was to develop confidence-building measures that could ensure a conducive atmosphere for a settlement by improving the daily lives of Cypriots.

13. The outputs of the working groups represented a review by the two sides of all the chapters of the negotiations as a means of setting an initial "baseline" standard for the talks. Three of the working groups actually produced joint reports that were subsequently used by the leaders. The working groups also established the modus

operandi concerning the procedures of the meetings and the role of the United Nations, which has largely been carried over until today.

14. The meetings of the working groups during this period played an important role in re-establishing regular exchange between the sides and represented the beginnings of greater trust and a confidence-building process. As such, they set a useful foundation for the full-fledged negotiations.

15. During the preparatory period, the leaders also gave instructions for the immediate and full implementation of the 23 confidence-building measures that had been formulated by the technical committees. Since September 2008, slow progress has been made on the implementation of these measures, as well as other initiatives of the technical committees. In April 2009, the leaders reiterated their commitment to four of these confidence-building measures. Overall, of the 23 measures formulated by the technical committees, six have been implemented to date, including the establishment of a joint communications room for the exchange of information on crime and criminal matters, the facilitation of ambulances through crossing points and the implementation of a project to establish an inventory of immovable cultural heritage in Cyprus. In addition, following the agreement reached between the leaders in June 2009, on 14 October 2010 the Limnitis/Yeşilirmak crossing was opened by both leaders. The crossing links the villages of Limnitis/Yeşilirmak, in the north, and Kato Pyrgos, in the south.

16. The commitment to the 23 confidence-building measures made in the preparatory period represented an important building block in the negotiation process. While the subsequent implementation of the confidence-building measures has, on occasion, had the effect of distracting the parties and stalling the talks, in the main it has served to provide relief to both communities by removing daily frustrations in their efforts to interact. The implementation measures have also served as one of the few opportunities to transmit hopeful messages to the public concerning the possibilities and feasibility of a united future. The work of the technical committees remains an important aspect of the overall negotiation process to this day.

Initial negotiating stage

17. The initial negotiating stage began with the formal opening of the full-fledged talks on 3 September 2008. In a major step forward, the leaders completed a "first reading" of the issues that constitute a comprehensive solution — governance and power-sharing, economic affairs, European Union matters, property, territory and security — by August 2009.

18. A "second reading" to increase convergences was initiated in September 2009. During this stage, a number of important convergences were achieved in the areas of governance and power-sharing, the economy and European Union matters. Negotiations on these chapters were carried out through joint papers and bridging proposals prepared by both sides over an extended period, culminating in intensive talks in the first quarter of 2010. This process, albeit a protracted one, enabled the parties to reach convergences and narrow the gap on remaining areas of divergence. Discussions on governance and power-sharing focused on the executive branch, the legislature, federal competences and external relations. Discussions on European Union matters focused mainly on how the positions of a united Cyprus in European Union bodies would be determined, the implementation of the acquis, derogations

and how to accommodate the settlement within the European Union legal framework. Discussions on economic matters focused on federal competences and functions as well as the federal budget. In September 2009, the leaders established an expert group on treaties, which met to discuss which treaties would be applicable to a united Cyprus.

19. Of note during this stage was the progress made during the two rounds of intensive negotiations which took place from 11 to 13 January and 25 to 27 January 2010, representing six full days that the leaders dedicated to the talks. The presentation of substantive papers during this intensive phase proved valuable in providing detailed opening positions and acted as a starting point for the negotiations around specific issues under consideration. From 31 January to 2 February 2010, I visited Cyprus with the aim of showing my personal support for the talks and stressing the need to expeditiously strive for a successful conclusion of the talks. On 30 March 2010, Mr. Christofias and Mr. Talat held their final meeting, by which time the two leaders had made steady progress and I was encouraged by the convergences that had been reached. In particular, I noted that both sides, at that time, were convinced that they could achieve a comprehensive settlement, having asserted in their 1 February statement that "with goodwill and determination, we can achieve a solution in the shortest possible time" and noting that "time is not on the side of settlement".

20. On 18 April, in elections held in the northern part of Cyprus, the Turkish Cypriots elected Derviş Eroğlu as their leader, replacing Mr. Talat. During this period of political contest in the north, the negotiation process was stalled for more than two months.

Current stage

21. Following the elections, both Mr. Christofias and Mr. Eroğlu wrote to me, affirming their commitment to continuing the talks, resuming them from where they had been left off prior to the elections. This current stage, which started with the formal resumption of the talks on 26 May 2010, began with an agreement to focus discussions on the property chapter. Earlier negotiations on the property chapter had resulted in a joint paper on categories of affected property. In early September 2010, both sides offered comprehensive proposals on property; they have since been working towards "marrying" the two proposals. Discussions on the property issue have focused on the establishment of a property commission, mechanisms for exchange, the extent of restitution and types of compensation. New proposals were made that tackled the economic and financial dimensions of the property issue. The Turkish Cypriots have put forward fresh initiatives, and the Greek Cypriots have modified existing positions. Since May 2010 the leaders have met on the property issue 15 times, including two all-day meetings, one during the August break. In addition, the representatives and experts met 21 times to advance the property discussions at the more technical level.

22. I acknowledge that the question of property is arguably the most complex of the issues under negotiation, and recognize the efforts made by both sides to date to tackle the issue in a serious manner. Nevertheless, despite close to six months of discussions on this crucial issue, my Special Adviser has reported a worrying lack of progress in efforts to agree on a conceptual framework on property. Basic differences exist between the two sides. The Greek Cypriots hold, as a matter of

principle, that Greek Cypriots with property in the north should be able to choose among exchange, compensation or reinstatement. This is unacceptable to the Turkish Cypriots who say that between 70 and 80 per cent of the property in the north is owned by Greek Cypriots and that, if all Greek Cypriot property owners were to be allowed reinstatement, it would be impossible for the Turkish Cypriots to secure bizonality. The Turkish Cypriots request a ceiling on the number of Greek Cypriots who can have their properties reinstated. For the Greek Cypriots, this is unacceptable. For the time being, these two positions are irreconcilable.

23. We must be clear that, in order to negotiate successfully a bizonal, bicommunal federation, the two leaders will have to reconcile these and other seemingly irreconcilable issues across all six chapters. These include the issue of territory, as the Greek Cypriots have made it clear that it will be impossible for them to move forward without linking property discussions to the territory chapter. The Turkish Cypriots recently have said that territory is an issue they will discuss only in a multilateral conference that includes the two parties to the talks and the guarantor powers. On the Treaty of Guarantee, the Turkish Cypriots and Turkey insist that the Treaty remain, while the Greek Cypriots want it terminated.

24. I raised my concern about the progress during this current stage of the negotiations in phone calls with both leaders on 21 October 2010. I noted that the process had been slow in recent weeks and urged both leaders to achieve concrete advances in the current discussions on property in order to maintain momentum in the peace process. While the offering of substantive proposals on property represented important progress, such proposals could be useful only if used as a platform for seeking convergences, rather than as fixed positions.

25. On 18 November, I met with the two leaders in New York. The meeting, which lasted for four hours, including a working lunch, reviewed progress on all the chapters of the negotiations. I identified several core issues and asked the leaders to work on these and report back to me on progress at the end of January.

26. Throughout this process, the United Nations has assumed the role of facilitator for all aspects of the negotiation structure. No aspect of the elaborate negotiation structure, which includes the six working groups, seven technical committees and the full-fledged negotiations, has functioned without the constant support and presence of the United Nations. The good offices mission has enabled the process by assisting the parties to formulate ideas and overcome complex challenges while balancing the concerns of both sides and maintaining Cypriot ownership of the process. This support has been welcomed by both parties.

IV. Observations

27. A guiding principle of these negotiations is that they are both "Cypriot-led" and "Cypriot-owned", something that has been strongly supported by the United Nations in its words and actions. As such, both leaders must necessarily take responsibility for the course of the talks, for their success or their failure. No one else can do this. Cypriot leadership means that it is the leaders who must propel the process forward and defend it against those who would seek to derail it.

28. As I have said many times, the talks cannot be an open-ended process; however, I fear a critical window of opportunity is rapidly closing. It is true that the

leaders have met 88 times since the beginning of the full-fledged negotiations, and I commend them for this commitment. Nevertheless, the true measure of the success of the negotiations will not be in how many times the leaders have been able to meet, but in progress on finding mutually acceptable solutions to difficult issues. Talks for the sake of talks are ultimately not productive.

29. The process so far has been characterized by periods of sluggish activity, together with some flashes of dynamism ahead of important events. It is my concern that the political environment in the second quarter of 2011 will likely not be conducive to constructive negotiations. Parliamentary elections in the south are scheduled for May, while elections will be held in Turkey in June. In any society, intense political moments such as elections are rarely a time for compromises or flexibility. If substantive agreement across all chapters cannot be concluded ahead of the election cycle, the talks may go into abeyance, and there is a serious risk that the negotiations could founder fatally.

30. Recent opinion polls continue to show that, while there is an appetite for peace in both communities, public scepticism continues to grow regarding the potential success of the ongoing negotiations in reaching a lasting agreement. Polls indicate overwhelmingly low public expectations that a settlement will be reached, as well as distrust on both sides that, if a settlement were to be reached, the other side would have any serious intention of honouring it. A solution therefore needs more than a comprehensive plan. It needs strong and determined leadership that will make the public case for a united Cyprus, with all the benefits this would bring.

31. Despite the collegial atmosphere in which the leaders engage in the talks, the leaders' subsequent public rhetoric has not conveyed that the negotiations are moving forward. Throughout the process, political leaders, both in government and opposition, have accused the other side of undermining the talks. Occasional outbursts by the leaders about each other have not contributed to building public confidence in the leadership and the peace process. Both sides should not assume that, once a clear strategic commitment to present a settlement proposal has been made, public opinion will easily be pulled along. It is incumbent on the leaders to reverse the cycle of negative messaging.

32. The near-total official secrecy of the negotiations, based on the principle of "nothing is agreed until everything is agreed", while understandable from a practical standpoint, has also not been helpful on the public front. This tension between confidentiality and transparency has no easy solution in peace processes. Unfortunately, the only detailed information that the public has been given of the negotiations is as a result of the selective leaking of texts through the media. Not surprisingly, polls show the public in general would like to be better informed about what is happening in the talks and able to have more input into the process. Security Council resolutions have repeatedly urged the sides to prepare their respective publics "well in advance" of a referendum, and the March 2010 joint statement authorizes them, irrespective of the confidentiality of the talks, to inform their communities about the progress made so far and the differences that still need to be resolved. Leaving citizens largely in the dark until a comprehensive solution is more fully at hand is to potentially face an unprepared and unreceptive public at the time of the referendums.

33. I have been very disappointed to see a steady stream of untruthful and highly negative remarks about the United Nations reflected in the media. This criticism and

misinformation about the United Nations is most unfortunate. Efforts by opponents of a solution to undermine the credibility of the United Nations directly undermines the process itself.

V. Conclusion

34. On 21 October 2010, I spoke directly to each of the leaders. I reminded them of the high priority the international community attaches to ending divisions on the island. Peace negotiations are always difficult, and often arduous. In recognition of this, the United Nations has devoted significant humanitarian, peacemaking, financial and other resources to support reconciliation and socio-economic development in Cyprus over the past 47 years. Five Secretaries-General of the United Nations have dispatched good offices missions to the island to help facilitate peace negotiations. All of the Member States of the United Nations have extended their goodwill and support, in the expectation that the two communities would pursue a settlement aimed at reunifying the island in a positive and constructive spirit.

35. The international community has remained engaged in the Cyprus peace process because of the critical importance of a resolution for the island, as well as the region, and there is a clear expectation that it will succeed. On 21 December 2009, both sides expressed the strong hope that a solution of the Cyprus problem could be achieved by the end of 2010. The United Nations and the international community accepted this commitment. While some progress has been made, it has been frustratingly slow. When I visited the island in February, I urged the leaders of the two communities not to waste such a historic opportunity. International expectations were high that the leaders of Cyprus would rise to the challenge, and that a solution was within reach. It is disappointing that, as the end of the year approaches, those expectations have not been met.

36. Now is the moment to dedicate all efforts to bringing these negotiations to a successful conclusion. Having stated their commitment to the shared goal of a bizonal, bicommunal federation, the leaders of Cyprus are expected to make good on their commitment to that outcome. I also urge all regional actors to contribute positively, wherever they can, to help bring these negotiations to a rapid and successful conclusion. The United Nations stands ready to maintain its enabling role in a Cypriot-led, Cypriot-owned process.

37. From the beginning, the United Nations has supported this process objectively and wholeheartedly, and it is committed to continuing to do so. My Special Adviser, Alexander Downer, and his team have been working hard to be as helpful to this process as possible, and they have my full support. The United Nations will remain intensively engaged during this upcoming phase in the process; however, the destiny of Cyprus is largely in the hands of the leaders of both communities. In the coming days and weeks, they will set the future course for the island and its citizens. It is their choice to make.

VI. Recommendations

38. In the light of my assessment and observations, I propose below a number of recommendations for the consideration of both leaders and the communities.

39. As agreed in the meeting on 18 November, I will meet again with the leaders in January. At that time, the leaders should be fully prepared with a practical plan for overcoming the major remaining points of disagreement. I ask them to dedicate significant efforts to meeting this goal.

40. It is important, for the success of the peace talks, to improve the public atmosphere in which the negotiations are proceeding, particularly given that the success of the process will ultimately remain in the hands of the people, who will vote for an agreement in separate, simultaneous referendums which will take place in both communities. In view of the importance of ensuring a conducive environment for the negotiations, I would urge both leaders to carefully consider interactions with the press and to focus messages on convergences and the way ahead.

41. While recognizing the confidential nature of the negotiations, I would encourage the leaders to step forward individually and jointly to deliver more constructive and harmonized messages. This is their responsibility just as much as managing the talks is. This would enhance public trust and support for the peace process and make the task of the leaders easier by making information available in a constructive manner to both sides.

42. Recognizing the important role of political parties in both communities, as well as the mandate given to the two leaders by their respective communities to negotiate a settlement proposal, I believe that parliamentarians and political actors on both sides should more consistently demonstrate their support for the negotiation process by allowing the two leaders adequate space to negotiate a potential settlement in good faith.

43. The active participation and engagement of civil society in the effort to reach a solution and in its implementation are also a crucial aspect of the negotiations. Now, more than ever, as public support is flagging, civil society can play an important role in supporting the leaders and the process. In addition, mindful of the important role of women in peace negotiations, as recognized by the Security Council in resolution 1325 (2000), I would encourage the sides to continue their engagement with the Gender Advisory Team, consisting of civil society activists and scholars from across the island, and to seriously consider its gender-focused recommendations on the main areas under discussion in the peace talks.

44. The United Nations presence in Cyprus, comprising the office of my Special Adviser, the United Nations Peacekeeping Force in Cyprus (UNFICYP), the United Nations Development Programme and other United Nations agencies and programmes, has been operating in a distinct, yet coordinated and coherent, manner to support the efforts of the two sides to find a comprehensive and durable settlement. I have continued to engage in contingency planning in respect of UNFICYP, as mandated by the Security Council, taking into account developments on the ground and the views of the parties. In the coming months, I plan to conduct a broader assessment of the United Nations presence in Cyprus, with a view to recommending ways to adjust to ongoing developments.

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Prevention of armed conflict

Security Council
Sixty-fifth year

Report of the Secretary-General on the implementation of Security Council resolutions 1820 (2008) and 1888 (2009)

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1888 (2009), in which the Council requested a progress report on the implementation of its resolutions 1820 (2008) and 1888 (2009). The report provides an analytical framing of conflict-related sexual violence to inform practice; updates on situations on the agenda of the Council, including, where available, information about parties suspected of engaging in patterns of sexual violence;[1] progress made by the United Nations system in implementing the resolutions, including measures to improve the collection of information; and recommendations aimed at enhanced response. The need to strengthen systems and approaches is underscored by the collective inability of the international community and national authorities to prevent atrocities such as the mass rapes perpetrated in the eastern Democratic Republic of the Congo late in July and in August, which provoked unprecedented public outrage.

2. Extensive consultations and contributions from stakeholders both at Headquarters and at the country level, including Member States, non-governmental organizations and experts, have informed the present report.[2] My Special Representative on Sexual Violence in Conflict solicited input through the 13-entity network, United Nations Action against Sexual Violence in Conflict (UN Action), at the Headquarters level. At the country level, senior mission focal points provided consolidated input from relevant peacekeeping and political mission components, the United Nations country team and implementing partners.

3. While the scope of the present report is confined to situations on the Council's agenda, it bears noting that sexual violence occurs in other situations of conflict and

[1] The definition of "pattern" is informed by the listing criteria developed in the context of the agenda relating to children and armed conflict, as presented in my report on that subject (S/2010/181, paras. 167-180).

[2] Unless otherwise indicated, the information cited is derived from United Nations reports.

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concern. Although the information presented post-dates resolution 1820 (2008), it is considered in the light of the fact that sexual violence is not specific to any era, culture or continent, but traverses all of history and geography.

4. Under international law, sexual violence is not synonymous with rape. The statutes and the case law of the International Tribunals for the Former Yugoslavia and Rwanda and the Special Court for Sierra Leone, and the Elements of Crimes of the International Criminal Court, define sexual violence to also encompass sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization and any other form of sexual violence of comparable gravity, which may, depending on the circumstances, include situations of indecent assault, trafficking, inappropriate medical examinations and strip searches.[3] The disaggregation of sexual violence offences into the categories listed above permits a more focused approach to prevention. Sexual slavery or enforced prostitution, for example, may differ in terms of its logic from the execution of a specific policy of forced pregnancy during a campaign of "ethnic cleansing" designed to achieve a military or political end, or rape concurrent with looting to terrorize the population or as a result of overly lax command and control structures. Depending on the circumstances of the offence, sexual violence can constitute a war crime, a crime against humanity, an act of torture or a constituent act of genocide.[4] In addition to individual criminal responsibility, crimes of this calibre may entail command responsibility. Hence, superiors in the chain of command are legally required to take measures to halt, prevent and punish violations.[5] Moreover, any amnesty ordinance reached at the end of a conflict must, as a matter of consistent United Nations policy, exclude international crimes and gross breaches of human rights. This helps to ensure that parties who commit or commission acts of sexual violence cannot escape liability and that there is no impunity for such conduct.[6]

II. Conflict-related sexual violence in countries on the Security Council's agenda

5. The present section examines the dynamics and consequences of conflict-related sexual violence as a threat to security and an impediment to peacebuilding in situations on the agenda of the Security Council. The term "conflict-related sexual violence" is used to denote sexual violence occurring in a conflict or post-conflict setting that has a direct or indirect causal link with the conflict itself. Such a link may be demonstrated by the perpetrator's status as a belligerent party; the proliferation and use of small arms and light weapons; the breakdown of law and order; the militarization of sites of daily activity such as fuel and water collection; cross-border consequences such as displacement, trafficking or economic disruption; the (sometimes deliberate) spread of HIV; and the targeting of ethnic,

[3] The six typologies of sexual violence are defined in articles 6, 7 and 8 of the Rome Statute of the International Criminal Court (United Nations, *Treaty Series*, vol. 2187, No. 38544).

[4] See Security Council resolutions 1820 (2008) and 1888 (2009) and S/2009/362, regarding torture, see General Assembly resolution 63/155 and A/HRC/7/3.

[5] See article 28 of the Rome Statute of the International Criminal Court and resolution 1820 (2008), para. 3.

[6] See resolution 1820 (2008), para. 4; see also the Nepal Bill on the Truth and Reconciliation Commission (February 2010), which stipulates that amnesty cannot be provided in cases of sexual violence.

sectarian or other minorities or of populations in contested territory affording an economic, military or political advantage, including in violation of a ceasefire agreement. In paragraph 1 of resolution 1820 (2008), the Council stresses that sexual violence, when used or commissioned as a tactic of war in order to deliberately target civilians or as a part of a widespread or systematic attack against civilian populations, can significantly exacerbate situations of armed conflict and may impede the restoration of international peace and security. The Council qualifies the "tactic of war" threshold with the word "including", indicating that this is just one type of case to be addressed alongside sexual violence committed against civilians, in situations of armed conflict, in and around refugee and internally displaced persons camps, and in disarmament, demobilization and reintegration processes. In such circumstances, sexual violence should be a priority consideration for peacemakers, peacekeepers and peacebuilders, in addition to humanitarian actors.

6. Having traditionally regarded sexual violence as a reproductive health or development issue, the international community has begun to embrace the concept of conflict-related sexual violence so as to also address the security-related structural drivers of such violence. When the issue is considered through the optic of security and civilian protection, emphasis is placed on prevention and on real-time, in addition to remedial, responses. This requires the monitoring not only of the numbers of victims reporting to service providers, but also of the whole chain of events that led to that point. Accordingly, the development of a system for listing suspected perpetrators, engaging in protection dialogue and tracking corrective actions remains a critical priority.

7. While resolution 1820 (2008) broadened the constituency for efforts to address sexual violence, questions remain about the extent to which such efforts correspond with the fundamental purpose of security institutions. The myth that rape is an inevitable byproduct of war is persistent and dangerously self-fulfilling. Such myths impede monitoring, reporting and operational response. There is an equally enduring belief in some military circles that bullets, bombs and blades constitute the "war", while rape is a random disciplinary infraction or a "private" aspect of culture-based gender relations. While gender constructs may animate acts of rape (attacking women's "honour" and men's capacity to "protect"), gender is a critical but insufficient explanatory tool. Wartime sexual violence generally accompanies other crimes, including indiscriminate killing, torture, forced displacement and looting. Yet field reports tend to classify conflict-related sexual violence under the broader rubric of gender-based violence or "harmful traditional practices", such as female genital mutilation and child marriage, rather than using the definition of sexual violence found in international law. As noted in a number of contributions to the present report, the phenomenon needs to be addressed more specifically. Like other conflict-related violence, sexual violence may also be motivated by ethnic, religious and underlying economic factors; hence, it is not a straightforward extension of the gender-based violence existing in all societies. When sexual violence is a war crime, it should be addressed on an equal basis with other war crimes, engaging the full spectrum of security, political and humanitarian actors.

8. In contemporary conflicts, which are characterized by an increased civilian-combatant interface, sexual violence is not a side effect, but a front-line consideration. The numbers of military casualties during operations in the eastern Democratic Republic of the Congo, for example, are dwarfed by the rates of rape,

killing and property destruction endured by civilians. As an example of the increased attention accorded to the use of sexual violence in contemporary conflicts, the Department of Peacekeeping Operations decided, in September 2010, to include information about sexual violence in the "Highlights" section of daily situation reports in order to ensure priority action. Indeed, the wartime collapse of the rule of law emboldens arms bearers to commit sexual atrocities of a scale and severity rarely seen in times of peace. This may be manifested in new and brutal forms of violence that societies describe as virtually unknown before the war: gang rape, public rape, forced incest and the rape of victims ranging from infants to octogenarians. Sexual violence against men and boys often becomes part of the repertoire of armed and political violence employed to attack community norms and structures or to extract information during detention and interrogation.[7]

9. There are cause-and-effect linkages between displacement and conflict-related sexual violence, with a significant number of refugees having suffered sexual violence in their home areas, during flight and/or in the country of asylum. In eastern Chad, which continues to experience the effects of regional conflicts, with some 255,000 refugees from Darfur and the Central African Republic, and with host community structures under strain owing to 180,000 internally displaced persons, rape is linked with tensions between refugee and host populations, sporadic military operations, and attacks on women and girls compelled to walk long distances to obtain water and firewood. There has been an increase in the number of reports of sexual and gender-based violence among refugees, from 295 in 2006, to 512 in 2007, to 656 in 2008, to 860 in 2009 and to 563 by mid-2010. While indicative of a serious security concern, this increase may also reflect improved reporting conditions in the camps. The Government of Chad has enhanced border policing to limit the movement of armed gangs and has been asked to continue the effective community policing initiative in eastern Chad known as the Détachement intégré de sécurité.[8] Along the Congo-Angola border, the United Nations registered cases of alleged sexual violence in September and October 2010, including rapes and strip searches carried out in the context of mass expulsions of Congolese citizens from Angola.

10. In addition to forcing population flight, sexual violence and terror can limit women's freedom of movement in relation to subsistence activities. In Darfur, attacks on internally displaced women and girls are most often committed when they venture beyond camp perimeters to obtain firewood and water. Between July 2008 and June 2010, the African Union-United Nations Hybrid Operation in Darfur (UNAMID) recorded 166 incidents of sexual violence directly related to clashes between the Government and armed groups, or to intercommunal fighting and banditry. While few perpetrators have been traced, 73 per cent of suspects were described as members of armed groups. Another 16 per cent were identified as belonging to the Sudanese Armed Forces and police (notably the Central Reserve Police), while other survivors reported rapes by elements of Chadian armed opposition groups.

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[7] In Kenya, the Commission of Inquiry into Post-Election Violence found that a number of sexual crimes had been committed against men; however, as a result of shame and lack of support, none were willing to testify. See report of the Commission of Inquiry into Post-Election Violence (15 October 2008), p. 243.

[8] See Security Council resolution 1923 (2010), para. 5.

11. Sexual violence also intersects with the war economy. The disruption of formal economies and State institutions often occasioned by conflict heightens the risk of trafficking in persons for purposes such as sexual or labour exploitation,[9] as well as the risk of abduction and extortion by armed groups. In Iraq, women have been abducted and raped by criminal gangs to extort money from their relatives, which is sometimes used to finance insurgent activities. Sexual violence has also served to clear populations from mining areas that in turn fund and prolong the conflict. The mass rapes committed in Walikale, Democratic Republic of the Congo, indicate a connection among the illicit exploitation of natural resources, the continuing operations of illegal armed groups, and high levels of violence against women. This series of mass rapes was carried out in conjunction with looting and pillage by the Forces démocratiques de libération du Rwanda (FDLR) and Mayi-Mayi Cheka, whose members rounded up women and prevented them from fleeing the besieged villages. In total, 303 cases were reported, with many women having been gang-raped by up to five or six men at a time. In September 2010, the Office for the Coordination of Humanitarian Affairs reported widespread sexual violence committed by armed groups in July, August and September in South Kivu. FDLR was again responsible for the vast majority of the cases. License to rape and pillage provides an incentive for irregularly paid combatants to continue the fight. By protecting women and their property, national security forces could gain popular support and an advantage over rebel groups that use sexual terror to dominate communities and secure their supply chain. Instead, national forces are too often complicit in rape themselves.

12. Large-scale atrocities carried out by armed groups should not eclipse the less sensational, but equally serious, abuses routinely committed by members of national security forces. Excluding the two mass rebel attacks mentioned above, in the reports compiled by the United Nations Joint Human Rights Office in the Democratic Republic of the Congo, Congolese security forces were alleged to be the only perpetrator in 86 per cent of the abuses committed between March and September 2010. Elements of the Forces armées de la République démocratique du Congo (FARDC) are regularly implicated in rape, although militias are most often linked with widespread and systematic attacks. In 2008 and 2009, the reported cases of sexual violence in the Democratic Republic of the Congo totalled 15,314 and 15,297, respectively. In 2010, the volume of cases reported monthly has remained constant. The support provided by the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) to FARDC contingents is withdrawn if they do not comply with the Mission's conditionality policy. Logistical support provided to the 911th battalion in Orientale province was suspended following reports that its soldiers had been implicated in several rapes in 2009. Despite robust laws and a zero-tolerance policy, impunity for sexual violence remains the norm. In my most recent report pursuant to resolution 1820 (2008) (S/2009/362), I noted that no arrest warrants had been issued in relation to the five "blacklisted" FARDC officials. Three of the five are now in detention, and investigations are moving ahead in relation to their cases. The fourth has been

[9] On 30 July 2010, Member States adopted General Assembly resolution 64/293, entitled "United Nations Global Plan of Action to Combat Trafficking in Persons", based on the 2000 Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (resolution 55/25, annex II).

located in Equateur, where he was serving as the commander of a battalion. The fifth remains at large. Where rigorous screening does not occur, there is a risk that known human rights abusers will become part of national police and military structures. For instance, the United Nations Assistance Mission for Iraq (UNAMI) reports that in Iraq, large numbers of militia members responsible for rape have been incorporated into such structures.

13. In a number of conflicts, those incorporating new recruits have used sexual violence by forcing boys and men to commit such taboo acts as the rape of relatives, in order to sever their ties with the community and bind them to the armed group. The practice of gang rape in particular has been employed to create cohesion within units, bonding fighters who have been recruited by force and increasing their tolerance of violence. This also tends to insulate perpetrators from a sense of personal guilt and leaves victims less able to identify individuals. There have emerged reports that Iraqi women have been targeted for rape to "dishonour" them and thereby make them susceptible to recruitment by extremist groups that claim that suicide bombing is a means of redemption. Some armed groups abduct women and girls in order to make them serve as "bush wives" or rewards for combatants. The United Nations Mission in the Sudan (UNMIS) reports that in South Sudan during the reporting period, 10 girls were abducted by the Lord's Resistance Army in separate but similar incidents. When rescued in 2009, all either were pregnant or had children conceived during their captivity.

14. Sexual violence as a tool of war can become a way of life: once entrenched in the fabric of civilian society, it lingers long after the guns have fallen silent. In Haiti, the use of rape as a tool of intimidation by the de facto military regime (1991-2004) reportedly "normalized" a cycle of violence against women that has been replicated by criminal elements. Rape is still used as a means of retribution and an expression authority, especially in areas historically prone to political violence. This has grown more acute in the wake of the January earthquake, owing to crowded conditions at displacement sites, many of which have been infiltrated by gangs that use rape as a means of gaining status among their peers. A similar trend can be seen in conflict-affected areas of the Democratic Republic of the Congo. In the words of one Congolese woman, insecurity and lawlessness mean that "to be raped by gangs of men is very normal for women". The attendant stigma unravels community relations: a raped woman may be branded a "soldier's wife" and chased from her home to face a future of indigence and social exclusion for herself and, often, her children. Many women lose their health, livelihoods, husbands, families and support networks as a result of rape. This in turn can shatter the structures that anchor community values, disrupting their transmission to future generations. Children accustomed to rape can become adults who accept such acts as the norm. In Liberia, Government statistics indicate that most present-day perpetrators of rape are in the age bracket of those who were traumatized as children during the civil war.

15. While always an attack on human rights, sexual violence can, in some circumstances, amount to an attack on the peace process as well. In the Central African Republic, 183 cases of sexual violence were recorded during the reporting period, with most perpetrators found to be bandits and rebel groups against whom no action had been taken. It is remarkable that, just two days after the adoption of resolution 1820 (2008), and despite the fact that the situation in the Central African Republic was the first in which the Prosecutor of the International Criminal Court had opened an investigation into a case in which alleged rapes far outnumbered

alleged killings, a peace agreement that made no mention of sexual violence was signed between the Government and three armed groups. In Côte d'Ivoire during the period under review, 630 cases of sexual violence were reported, with fewer than 19 of the alleged perpetrators arrested by local police and a conviction rate of less than 1 per cent. In Liberia, rape continues to be the crime most frequently reported in monthly police statistics. If left unchecked, the cycle of sexual violence can have a destabilizing effect. Accordingly, Governments have taken steps to address impunity. The Government of Liberia has established a court in Monrovia, Criminal Court "E", with dedicated competence on sexual violence. While it is an important deterrent, its capacity needs to be enhanced, as the court heard only three cases during the reporting period. In the Democratic Republic of the Congo, the Government has taken steps to restore faith in the justice system by increasing the number of women magistrates (now 400 of a total of 1,980), 100 of whom will receive specific training on sexual violence and will be assigned to the eastern part of the country.

16. After conflict, sexual violence can impede women's participation in democratic processes. When Afghan women participated in the Peace Jirga convened in June 2010, they emphasized that gains made in relation to women's rights should not be annulled in the course of reconciliation and transition. In the lead-up to the September 2010 Afghan parliamentary elections, the United Nations Assistance Mission in Afghanistan (UNAMA), in an effort to ensure women's participation, monitored sexual harassment against female candidates. In Liberia, the risk that sexual violence will flare up during the presidential elections of November 2011 will need to be monitored, particularly in the light of the myth that rape can impart power and favourably influence political outcomes. The threat of sexual violence during the referendum on South Sudan, which is scheduled for January 2011, will also require that precautionary steps be taken to enhance protection at potential flashpoints. This is particularly relevant given the many rapes reported to have taken place during the political violence that engulfed parts of northern Jonglei State and Upper Nile State as the Sudan People's Liberation Army (SPLA) attempted to flush out insurgents following the elections of April 2010. In such settings, sexual violence may be an indicator of wider societal violence, as well as of diminished political participation by women.

17. In the context of disarmament, demobilization and reintegration processes, there is a link between insufficient social reintegration and spikes in sexual violence. In Côte d'Ivoire, sexual violence deployed as a tactic by belligerents has decreased since the signing of the 2007 Ouagadougou Political Agreement, although high levels of such violence persist in the western and northern parts of the country where demobilized combatants and militias are concentrated. In the eastern Democratic Republic of the Congo, sexual violence is also perpetrated by former combatants reinserted into communities through the disarmament, demobilization and reintegration process.

18. There is emerging evidence that sexual violence has been used to extract information from women and girls during forced civilian disarmament, including information about the locations of arms caches. Between May and June 2010 in South Sudan, sexual violence was reported during forced civilian disarmament carried out by SPLA. Four girls were allegedly raped and beaten by SPLA soldiers for having failed to provide information about persons in possession of firearms.

Civilian authorities in Lakes State have accused SPLA soldiers of raping eight women during a disarmament exercise in July 2010.

19. Sexual violence can proliferate in a climate of impunity associated with weakened or non-gender-responsive security sectors. A study on security and justice in Nepal, carried out in March 2010 in Mahottari, Rukum and Rolpa districts, highlighted sexual violence as the No. 1 cause of insecurity for women in the post-conflict phase, emphasizing women's lack of trust in the justice and security sector. The study also cited the lack of female police officers and judicial staff in the country as an obstacle to women seeking to gain access to these services. Instability in the lead-up to the adoption of a new constitution in May 2011 is coupled with continued criminal activity and the illegal possession of small arms, especially in the Tarai region, where members of various armed groups have reportedly raped women at gunpoint. It will be critical that the Nepal Truth and Reconciliation Commission include these experiences in the historical record. However, sexual violence is rarely documented in a comprehensive way during transitional justice processes. In Iraq, women parliamentarians in the Kurdish Regional Government have indicated that sexual violence was used as part of the Anfal campaign, conducted by the previous regime to suppress the Kurdish people. However, owing to fear of stigma, no survivor came forward during the 2010 Anfal trials to register the issue in the public record. Restoring State authority is vital to peace consolidation, yet continued impunity for sexual violence can erode public confidence in a nascent justice and security sector.

20. In a number of countries, social and legal norms assign the blame for sexual violence to the victim rather than to the perpetrator. In Afghanistan, women may be charged with *zina* (sexual relations outside marriage). Approximately 80 per cent of the Afghan population is reliant on traditional justice, which includes practices such as compelling rape victims to marry the perpetrators. A study conducted in 2009 by UNAMA found that in one region, the perpetrators in 39 per cent of documented rape cases had direct links to commanders of illegal armed groups, criminal gangs or warlords, who are effectively above the law. In Somalia, there have been cases in which women attempting to report rape have been convicted of adultery, particularly in regions controlled by Al-Shabaab, where women's rights and freedoms are severely constrained. In the Sudan, article 149 of the Criminal Act 1991 conflates rape with adultery and permits the prosecution of women who become pregnant as a result of rape. In Liberia, laws and policies on sexual violence appear to have evolved faster than public attitudes. A survey conducted from September to October 2008 by the United Nations Mission in Liberia, in association with the Ministry of Gender and Development, entitled "Research on prevalence and attitudes to rape in Liberia: September to October 2008", found that 83 per cent of respondents believed that women victims of rape contributed to their victimization, particularly through the way in which they dressed.

21. Three common themes emerge from country-level contributions to the present report: their is a need to change social attitudes in tandem with legal and policy reforms to reduce stigmatization; reporting should be standardized, employing an ethical and methodologically sound system that can be used by all stakeholders; and the United Nations system and donor countries should provide coherent and sustained support to national authorities. Addressing sexual violence as a peace and security imperative can advance economic recovery, community reconstitution and broad-based peacebuilding, which in turn enhances the legitimacy and durability of

peace processes. Hence, there is a need for programmes and funding to address the continuing emergency of conflict-related sexual violence, even after hostilities have ceased. Early recovery initiatives, while critical as a means of swift response, should not result in a premature shift from an approach based on the relationship between sexual violence and armed conflict to an exclusively development-oriented approach, which may limit understanding of the drivers and dynamics of such violence, as well as the corresponding entry points for intervention. During conflict, the priority is to protect civilians and halt sexual violence by armed elements. After conflict, the priority is to avoid a repetition of patterns of violence and exclusion, thus preventing the "normalization" of brutal and widespread sexual violence committed by security forces, civilians and ex-combatants alike.

III. Implementation of resolutions 1820 (2008) and 1888 (2009): progress and challenges

22. The present section covers progress made by the United Nations system during the period from July 2009 to November 2010 in carrying out the mandates set out in resolutions 1820 (2008) and 1888 (2009).

Appointment of a Special Representative of the Secretary-General on Sexual Violence in Conflict

23. Pursuant to paragraph 4 of resolution 1888 (2009), I appointed my first Special Representative on Sexual Violence in Conflict, Margot Wallström, to provide coherent and strategic leadership. She took over as Chair of UN Action and established her Office in April 2010. At the outset, close cooperation was initiated between her Office and the Office of my Special Representative for Children and Armed Conflict to ensure that mandates are implemented in a mutually reinforcing manner.[10] Progress has been made in carrying out Ms. Wallström's five-point priority agenda: (a) addressing impunity, including by supporting national institutions to identify and prosecute perpetrators; (b) empowering women to seek redress and claim their rights; (c) mobilizing political leadership; (d) increasing recognition of rape as a tactic and consequence of conflict; and (e) ensuring a more coherent response by the United Nations system.

24. My Special Representative's priorities include facilitating a rapid response to emerging situations of sexual violence by developing an early warning matrix of risk factors; recognizing and promoting exemplary action; sustaining media attention through political and public advocacy regarding situations in which sexual violence is not sufficiently recognized and the response is underresourced; continuing to pave the way for the deployment of a Team of Experts on the Rule of Law in support of national institutions; and fostering Government engagement in the development and implementation of comprehensive strategies to combat sexual violence.

25. My Special Representative undertook four field visits during the first year of her tenure: to the Democratic Republic of the Congo, in April and again in September-October; to Liberia, in June; and to Bosnia and Herzegovina, in November. When visiting Walikale, she emphasized that the mass rapes committed

[10] See A/63/785-S/2009/158 and Corr.1 and A/64/742-S/2010/181.

there had been neither isolated nor random and that, where sexual violence was planned, it must be viewed as preventable. The Special Representative expressed concern about exactions against civilians in the context of FARDC operations in the area, calling for allegations to be investigated and appropriate action taken. In a demonstration of the power of international attention and diplomatic pressure, "Lieutenant Colonel" Mayele, one of the rebel commanders associated with the Walikale mass rapes, was apprehended during the Special Representative's visit to the area on 5 October. The arrest of Callixte Mbarushimana, Executive Secretary of FDLR, followed swiftly, on 11 October, in Paris. In Liberia, the Special Representative focused on the imprint that wartime sexual violence had left on society. She explored, with all relevant stakeholders, concrete ways in which her Office could assist in tackling the high rates of sexual violence and the disparity between the number of acts committed and the number of convictions. Agreement was reached with the Government on the deployment of a Team of Experts on the Rule of Law and on collaboration in developing a national anti-rape campaign. In Bosnia and Herzegovina, the Special Representative met with women's groups from the region to learn more about their experience in seeking justice in the wake of conflict.

Establishing a Team of Experts on the Rule of Law

26. Recognizing that conflict both increases the need for justice and reduces the likelihood of gaining access to it, the Security Council, in paragraph 8 of resolution 1888 (2009), called for measures to identify and deploy rapidly a Team of Experts to situations of particular concern with respect to sexual violence in armed conflict in order to assist national authorities in strengthening the rule of law. Three co-leads, the Department of Peacekeeping Operations, the Office of the United Nations High Commissioner for Human Rights and the United Nations Development Programme (UNDP), on behalf of UN Action, have developed a conceptual framework for the Team, which will be multidisciplinary, with rapid deployment capability to assist Governments in reinforcing judicial systems weakened by conflict. A Team Leader was appointed by my Special Representative in November to oversee between two and seven professionals with rule-of-law expertise, to be based in entities carrying out ongoing work in this area. Additional skills will be drawn, as needed, from a supplementary roster of standby specialists. The Team will be dispatched with the consent of the host country. I encourage countries affected by conflict to draw upon this new resource, which can be configured to address their specific challenges. I also urge Member States to ensure that the Team has sustainable funding so that it can fulfil its mandate.

Improving information about sexual violence: creating a monitoring, analysis and reporting system

27. Timely, objective, accurate and reliable information about conflict-related sexual violence should serve as the basis for action by the Security Council and other executive bodies. Such information should also inform the programmatic response on behalf of survivors and communities. The Council, in resolution 1888 (2009), specifically requests more efficient and systematic reporting on incidents, trends, patterns and early warning indicators, using expertise from the United Nations system and elsewhere. The proposed monitoring, analysis and reporting system is a response to current institutional weaknesses identified through a

preliminary "gaps analysis" initiated pursuant to paragraph 26 of resolution 1888 (2009).

28. The monitoring and reporting system on conflict-related sexual violence will take into consideration the experience and practice of the monitoring and reporting mechanism on grave violations against children in armed conflict, established pursuant to Security Council resolutions 1612 (2005) and 1882 (2009). It will draw on relevant existing guidelines and criteria in determining, in particular, the normative basis for monitoring; the definitions of "patterns", "scope" and "systematic violations"; security and ethical considerations; information verification standards; and the composition, functions and reporting lines of country-level monitoring and reporting arrangements. The system will ensure a coherent and coordinated approach at the field level and will maintain a focus on incidents and perpetrators. It will also ensure that any information compiled for the Security Council has been verified by the United Nations.

29. Emphasis will be placed on the analysis of information with a view to gaining a better understanding of trends, patterns and early warning indicators. Analysis arrangements to be established at the country level will include a broad range of stakeholders, including United Nations actors, national institutions, civil society organizations, health service providers and women's groups. It is anticipated that deeper and more systematic analysis will serve to better contextualize information about violations and perpetrators, and thus complement and reinforce the work of monitoring and reporting country task forces.

Challenges and opportunities for improved reporting

30. Data collection must be considered in the light of the specific challenges pored by this category of violation. Sexual violence may inflict intense physical and psychological trauma, and often results in fear, shame and stigma. This is compounded by the paucity of female responders in the remote, volatile locations where mass rapes are often perpetrated. Women in or fleeing from front-line areas have limited opportunity to report violations or to gain access to medical facilities. Efforts to document sexual violence are further complicated by population movements, service disruptions, a weak or absent State apparatus, and insecurity. An analysis of cases compiled by MONUSCO between June and September 2010 revealed that it takes victims an average of 23 days to report a rape. While population-based surveys are needed in order to determine prevalence, they may be prohibitive in conflict settings. This means that such information should not be a precondition for action. An inordinate reliance on quantitative assessments, or "hard data", may be counterproductive when the qualitative analysis of patterns and predictors can provide a foundation for prevention and response. A lack of reports does not mean a lack of incidents: sexual violence in conflict settings is often invisible, but rarely non-existent.

31. A common measure of prevalence, while not a prerequisite for response, has long been needed. The World Health Organization (WHO), the United Nations Children's Fund (UNICEF) and the United Nations Population Fund (UNFPA), in collaboration with the United States Centers for Disease Control, are developing a survey tool that will add considerably to the existing data landscape by enhancing understanding of the magnitude and the nature of sexual violence, the profile of perpetrators and victims, and factors that increase risk and may be amenable to

intervention. Information regarding sexual violence as a war crime or crime against humanity is rarely reported in isolation from information about other forms of violence. So that protection actors can be fully informed, it is important to track the ways in which sexual violence correlates with troop movements; dwindling supplies that may be a precursor to looting; the reinsertion of ex-combatants into communities; and military operations. In the context of Security Council resolution 1308 (2000), better data are needed on the links between HIV prevalence and sexual violence, especially that committed by armed actors who may have elevated infection levels. A risk assessment tool involving the Joint United Nations Programme on HIV/AIDS is being developed to pinpoint physiological and social risk factors.

32. To improve information-sharing, senior mission focal points have begun to coordinate with United Nations country teams to ensure that data can be collected in such a way as to ensure that it is comparable at the country level, permitting aggregation and analysis. The World Health Organization's ethical and safety standards set important parameters:[11] if services cannot be provided, this must be disclosed and efforts made to provide referrals. A human-rights-based approach that ensures that measures are taken to protect victims and witnesses, to obtain their informed consent and to avoid their re-traumatization as a result of repeated interviews, underpins the gender-based violence information management system. The system is being rolled out in a number of countries by UNFPA, UNICEF, the United Nations High Commissioner for Refugees (UNHCR) and the International Rescue Committee to enable service providers to safely collect, analyse and share reports. The comprehensive set of indicators to track the implementation of resolution 1325 (2000) will also improve the quality of information.[12] Indicator 1A will enhance understanding of the prevalence of sexual violence, while indicator 1B is aimed at the identification of patterns. Those indicators will be tracked by the Office of my Special Representative on Sexual Violence in Conflict.

33. Given the fact that sexual violence spans history, the burden of proof in wartime should be on those who claim that rape is not occurring. Therefore, sexual violence prevention should be considered as a matter of course in contingency plans. Where the relevant information is not provided in country-specific reports, the Council is encouraged to raise questions about the scale and the character of sexual violence. This issue has figured prominently in briefings given by the Office for the Coordination of Humanitarian Affairs, on behalf of the humanitarian community to the Security Council's informal expert group on the protection of civilians. Such briefings serve as an important vehicle for updating the Council on sexual violence and actions that it can take in this area.

Defining the role of women's protection advisers

34. The mandate for women's protection advisers is derived from resolutions 1888 (2009) and 1889 (2009). It is anticipated that the role of women's protection advisers will centre on advancing the implementation of those resolutions through, inter alia, support for the monitoring, analysis and reporting system on sexual violence; the facilitation of dialogue with parties to conflict with a view to

[11] *WHO Ethical and safety recommendations for researching, documenting and monitoring sexual violence in emergencies* (Geneva: World Health Organization, 2007).

[12] See S/PRST/2010/8 and S/PRST/2010/22.

protection commitments; coordination of the development and implementation of comprehensive strategies to combat sexual violence; and the mainstreaming of sexual violence considerations into policies, operations and advocacy of United Nations peacekeeping and special political missions. Their deployment will build on lessons and best practices drawn from the experience of child protection advisers. The need for women's protection advisers will be determined on a case-by-case basis. The Department of Peacekeeping Operations, the Department of Field Support and the Office of the United Nations High Commissioner for Human Rights (OHCHR) are soliciting views from the field on the added value of women's protection advisers and where they could be most strategically situated. This consultation will inform the development of generic terms of reference for women's protection advisers, to be finalized in the first quarter of 2011.

Addressing sexual violence in peace and mediation processes

35. Peace processes can influence communities in terms of the standards of behaviour that they accept as tolerable, which means that these standards are often enshrined in new constitutions. If women do not participate, and if sexual violence is not addressed, it sets the stage for continued discrimination and the "normalization" of violence. The United Nations Development Fund for Women (UNIFEM), part of the United Nations Entity for Gender Equality and the Empowerment of Women, reports that, of 300 peace agreements reached in relation to 45 conflict situations since the end of the cold war, only 18 have addressed sexual violence.[13] There continues to be a striking discrepancy between the extent to which women suffer the effects of conflict and the extent to which they are included in its resolution. To mark the tenth anniversary of resolution 1325 (2000), 27 dialogues on women and peace, organized by the Department of Political Affairs, the Department of Peacekeeping Operations, UNDP and UNIFEM, were held worldwide in June and July 2010. The concerns most frequently voiced by participants were the high level of sexual violence committed during and after armed conflict and the impunity enjoyed by perpetrators.

36. Innovative refinements to current practice, such as the broadening of the definition of a ceasefire violation to include human rights abuses such as sexual violence, and the use of mixed civilian military teams to manage ceasefires, were considered during an expert workshop held by the Department of Political Affairs in October 2010. In February 2010, UNIFEM advocated the inclusion, in the ceasefire agreement between the Justice and Equality Movement and the Government of the Sudan, of a clause on halting sexual violence. Although the ceasefire in question did not hold, such language sets an important precedent. Furthermore, UNAMID and UNIFEM advocated the effective representation of women in the civil society track of the Doha peace negotiations. Provisions addressing sexual violence were integrated into the Doha Declaration documents and the related recommendations, including provisions establishing compensation for rape survivors and a fund for women's reproductive health. the Department of Political Affairs and UNIFEM have launched a three-year Joint Strategy on Gender and Mediation to, inter alia, develop guidance for mediators in addressing sexual violence. In addition, strategic lessons have been learned as a result of the efforts of the Peacebuilding Fund to invest in

[13] These cover 10 conflict situations, in Aceh, Indonesia; Burundi; Chiapas, Mexico; the Democratic Republic of the Congo; Guatemala; Nepal; the Philippines; the Sudan/Darfur; the Sudan/Nuba Mountains; and Uganda.

responses to sexual violence as part of its strategy for preventing relapses into conflict. This approach highlights the need for targeted interventions to break patterns of violence that begin during conflict and persist after it has ended. This is underscored in my report on women's participation in peacebuilding (A/65/354-S/2010/466), issued pursuant to resolution 1889 (2009), which called for expertise to be made available in peace processes to ensure that women's needs are met and that provisions to address sexual violence are included in peace agreements.

Development of comprehensive strategies to combat sexual violence

37. In paragraph 23 of resolution 1888 (2009), the Security Council calls for the development of joint Government-United Nations comprehensive strategies to combat sexual violence. UN Action provides strategic support to United Nations missions to help them develop such strategies, which establish a common foundation for the Organization's response in order to prevent gaps and overlaps. This approach has begun to be mirrored in donor coordination. The implementation of the comprehensive strategy on combating sexual violence in the Democratic Republic of the Congo is being supported through a pooled fund, the Stabilization and Reconstruction Plan for Areas Emerging from Armed Conflict. The strategy is structured around four pillars — combating impunity; prevention and protection; security sector reform; and multisectoral assistance for survivors — with a cross-cutting component on data and mapping. The Sexual Violence Unit of MONUSCO is charged with coordinating the implementation of the strategy and requires enhanced human and material resources to perform that function. Working groups for each of the pillars have been created at the central and provincial levels to help operationalize the strategy. In March 2009, UN Action engaged an independent consultant to assess the provision of strategic support in the Democratic Republic of the Congo. The assessment resulted in the conclusion that the strategy provided an ambitious but comprehensive platform for joint (not merely joined-up) action. UN Action is currently helping the United Nations system to respond to the Security Council's call for a comprehensive strategy to be developed in Côte d'Ivoire. A consultant was also deployed to Chad in early 2010, under the auspices of UNFPA, to help develop a comprehensive strategy on gender-based violence, including sexual violence, for the eastern part of the country. Experience to date has revealed that comprehensive strategies must be coupled with high-level leadership, staff possessing strong strategic and coordination skills, and adequate resources for the achievement of their aims.

Scaling up and improving access to services, including by building national capacity

38. In paragraph 13 of resolution 1888 (2009), the Security Council encourages States, with support from the international community, to increase access to health care, psychosocial support, legal assistance and socio-economic reintegration services for victims of sexual violence. Sexual violence affects every aspect of a survivor's life and requires a holistic response tailored to both child and adult survivors. The role of the United Nations is to support, not supplant, government as the primary protection and service provider. Services should not only treat individuals, but also help them to reintegrate into social and economic structures, as the need for healing applies to the community as a whole. Disabled women face heightened vulnerability to sexual violence and exploitation, owing as much to

isolation and lack of support structures as to physical immobility or infirmity. In recognition of the risk faced by women maimed or wounded by anti-personnel landmines, sexual violence has been specifically included in the 2010 gender guidelines for mine action programmes, developed by the Department of Peacekeeping Operations.

39. In terms of legal assistance, the International Commission of Inquiry for Guinea-Conakry exemplifies a swift response to sexual violence employed as a tool of political repression. In Timor-Leste, UNDP and the United Nations Integrated Mission in Timor-Leste have provided technical guidance to the National Parliament on bills aimed at reparation and the prosecution of cases, to provide a measure of justice for survivors of conflict-related sexual violence.[14] My Special Representative on Sexual Violence in Conflict joined a high-level panel, convened in October in the Democratic Republic of the Congo by the United Nations High Commissioner for Human Rights, to discuss the issue of reparations directly with survivors of sexual violence. The panel has shared its preliminary findings with Government officials, and its recommendations will complement ongoing efforts to promote justice in a comprehensive manner. In the Democratic Republic of the Congo, however, not a single victim or affected community has received reparations for sexual violence, not even the approximately 2,000 survivors who have managed to obtain a judgement in their favour. In many post-conflict settings, there is a need to reform not only rape laws, but also rules of procedure and evidence, to overcome inbuilt biases. This is important, as rape laws have historically constituted an unjust codification of the lack of trust in the credibility of women. More than the perpetrators of other crimes, rapists anticipate that their victims will not have the courage or the support required to testify against them. Hence, there is a need to increase the capacity and the sensitization of prosecutors and police. In seven missions, United Nations police have helped to create specialized national police units that receive and respond to reports of sexual violence. This is part of the task of replacing the vicious circle of silence and impunity with a virtuous circle of recognition, justice and reparation.

40. Swift service delivery is vital in conflict and emergency settings. In Kenya, where reported cases of rape doubled following the 2008 post-election violence, UNFPA has drawn lessons enabling it to be better prepared to provide services to populations during and after emergencies. The Fund has also begun to integrate responses to reproductive health issues, HIV and gender-based violence into disarmament, demobilization and reintegration interventions, as in South Kordofan State, Sudan. Those efforts have targeted ex-combatants, with a particular focus on women associated with armed groups, as well as their families and the receiving communities. It is important that reintegration programmes for demobilized combatants address sexual violence in terms of rehabilitation, debriefing and referral services.

41. There remains a critical gap in terms of multi-year financial support for programming, capacity-building and coordination. In particular, there is a need to

[14] In Timor-Leste, the Truth, Reception and Reconciliation Commission has acknowledged that the majority of Timorese women were victims of violence during the crisis; resolution 34/11 of the National Parliament, dated 14 December 2009, recommended the adoption of a reparation law for victims of human rights violations, including rape and sexual slavery, committed between 1974 and 1999.

ensure that funding modalities support the United Nations system so that it can "deliver as one", rather than creating a schism between humanitarian and development programming, on the one hand, and political, peace and security efforts, on the other. Preliminary findings resulting from the use of the gender marker system for tracking expenditure in relation to humanitarian responses indicate that, of more than 700 projects carried out in eight pilot countries, 75 per cent did not address gender in a significant way and nearly 50 per cent made no reference to gender-based violence. The roll-out of the gender marker system in humanitarian financing schemes in 2011 should strengthen project design in this regard.

Strengthening protection and prevention

42. Humanitarian efforts to address gender-based violence are coordinated under the cluster approach, with different clusters being accountable for specific sectoral responses to sexual violence. UNHCR serves as the global lead of the protection cluster, with UNFPA and UNICEF co-leading the gender-based violence area of responsibility. In Kyrgyzstan, the gender-based violence area of responsibility is working, through mobile teams, to provide services to Uzbek survivors of targeted sexual violence carried out during the ethnic unrest of June 2010. In Haiti, the area of responsibility is working with United Nations police and the national police to improve patrolling in camps, providing better protection for an estimated 40 per cent of internally displaced persons.

43. Female United Nations police officers in Liberia and Darfur have improved outreach to sexual violence survivors, including by galvanizing local women to join the national police. In 2009, in an effort to bolster gender balance among uniformed peacekeepers, the Police Division of the Department of Peacekeeping Operations launched a global effort to increase the representation of female peacekeepers from the current level of 8.7 per cent of police components to 20 per cent by 2014. Member States are encouraged to lend to peacekeeping and political missions expertise on sexual violence investigation and response, including by providing more trained female personnel.

44. Scenario-based training on sexual violence is being developed on the basis of the United Nations publication *Addressing Conflict-Related Sexual Violence: An Analytical Inventory of Peacekeeping Practice*, published in June 2010, which contains a compilation of examples of early warning systems, patrols and escorts tailored to women's mobility patterns; night patrols in high-risk areas; and effective community liaison techniques. United Nations military personnel frequently operate in areas that are among the most dangerous in the world for women. Their operational readiness standards must reflect that reality and prepare them to serve as first points of contact with sexual violence survivors, as needed. The Department of Peacekeeping Operations and UNIFEM, under the auspices of UN Action, have established a "mobile support team on sexual violence" to present the inventory to troop-contributing countries. A strategic framework on civilian protection and a series of scenario-based training modules are being finalized by the Department of Peacekeeping Operations and the Department of Field Support and will also address sexual violence. In addition, the United Nations police are finalizing training materials for United Nations and national police on this issue. The Departments' gender guidelines for military personnel in peacekeeping operations also address the protection of women and girls from sexual violence.

45. To enhance respect for the prohibition on sexual violence, the Office for the Coordination of Humanitarian Affairs and UNICEF are collaborating to develop tools for engaging with and sensitizing parties to armed conflict. This research will deepen understanding of the factors that allow and restrain perpetration, and will inform actors who interface with non-State armed groups as to how they can leverage their resources to prevent sexual violence.

IV. Recommendations

46. I affirm my commitment to accelerating the implementation of resolutions 1820 (2008) and 1888 (2009), and intend to accord the highest level of attention to this issue. The Security Council has recognized sexual violence as a peace and security deficit. Addressing it can help to ensure that the dividends of peace flow equally to all. Tragically, laudable progress made at the level of policy has been overshadowed by the surge of sexual violence in the eastern Democratic Republic of the Congo and its continuing prevalence elsewhere. While the Council has created historic momentum, additional measures must be put in place to deliver tangible protection outcomes. To that end, I urge the Council to:

(a) Increase pressure on perpetrators of sexual violence through the adoption of sanctions and other targeted measures against individuals and entities by relevant sanctions committees, in line with paragraph 10 of resolution 1888 (2009) and the statement by the President of the Security Council dated 17 September 2010 (S/PRST/2010/17). In this regard, I urge the Council to invite my Special Representative on Sexual Violence in Conflict to exchange pertinent information with relevant sanctions committees and sanctions committees' expert groups;

(b) Employ all additional means at its disposal to influence parties to conflict to comply with, international law, including referring matters to the International Criminal Court, mandating international commissions of inquiry to address the issue of sexual violence, and explicitly condemning sexual violence in resolutions and in presidential and public statements;

(c) Mandate the listing, in my annual reports, of those parties who have engaged in patterns of sexual violence in situations of armed conflict, as a basis for more focused engagement with parties and, where necessary, the application of targeted measures;

(d) Call on parties to conflict to make specific and time-bound commitments to ceasing all acts of sexual violence. Such commitments should include the following: (i) the issuance of clear orders through chains of command prohibiting sexual violence; (ii) the inclusion of the prohibition on sexual violence in codes of conduct or their equivalent; (iii) the timely investigation of alleged abuses and the punishment of perpetrators; and (iv) the designation of a high-level interlocutor in the hierarchy of the group responsible for overseeing the prevention and the punishment of sexual violence. Access for the United Nations to verify the fulfilment of such commitments provides a basis for the de-listing of parties. The Council is also urged to regularly monitor the implementation of commitments by the parties and to encourage efforts by appropriate United Nations officials to engage in dialogue with parties to conflict to elicit such commitments;

(e) Support the efforts of the United Nations system to establish monitoring and reporting arrangements with regard to conflict-related sexual violence in order to ensure a coherent and coordinated approach at the field level, as described in paragraphs 27 to 29 above. Such arrangements will also be aimed at engaging all relevant stakeholders in the analysis of information, including on trends, patterns and early warning indicators, to inform targeted actions against perpetrators as well as programmatic responses for survivors;

(f) Give sexual violence systematic consideration in authorizations and renewals of the mandates of peacekeeping and special political missions to ensure that agreed language contained in thematic resolutions is reflected in country-level action. Even before missions are mandated, technical assessments of country situations should include gender expertise. Monitoring of the security situation surrounding expulsions, elections or referendums in post-conflict States should include information about the particular risks facing women and measures to respond to potential sexual violence;

(g) Use its periodic field visits to focus on the issue of conflict-related sexual violence, and engage the expertise of the Office of my Special Representative on Sexual Violence in Conflict and the Team of Experts on the Rule of Law to advise, as appropriate, on the preparation of the terms of reference for such visits and on the Council's related engagements on the ground, including with women's civil society groups;

(h) Invite my Special Representative on Sexual Violence in Conflict and other senior United Nations officials to provide briefings on sexual violence in connection with situations of concern. In particular, the practice of requesting briefings following relevant visits of my Special Representative to countries on the Council's agenda should continue;

(i) Regularly solicit the views of women's organizations and sexual violence survivors, including through Arria Formula meetings.

47. Sexual violence calls for sustained attention, action and cooperation commensurate with the scale of the challenge. Its enduring and ruinous consequences run counter to the aims of the United Nations system. Peace, justice and security are interdependent: there can be no peace without the peace of mind that enables women to undertake their daily tasks, no justice without a national capacity to deliver justice, and no security without women's security.

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Report of the Secretary-General on the United Nations operation in Cyprus

I. Introduction

1. The present report on the United Nations operation in Cyprus covers developments from 21 May 2010 to 20 November 2010 and brings up to date, since the issuance of my last report (S/2010/264) on 28 May 2010, the record of activities carried out by the United Nations Peacekeeping Force in Cyprus (UNFICYP) pursuant to Security Council resolution 186 (1964) and subsequent Council resolutions, most recently resolution 1930 (2010). The activities of my mission of good offices in Cyprus are covered separately in my report dated 24 November 2010 (S/2010/603).

2. As at 31 October, the strength of the military component, including all ranks, stood at 859, and the strength of the police component stood at 68 (see annex).

II. Activities of the Force

A. Prevention of a recurrence of fighting and the maintenance of the military status quo

3. During the reporting period, UNFICYP sought to maintain the stability and integrity of the buffer zone, contributing to the overall United Nations effort in support of the peace process. The two opposing forces have cooperated very well in that endeavour and the situation in the buffer zone has remained stable. The relationship between the UNFICYP military chain of command and the chain of command of both opposing forces continues to be good, which is beneficial for maintaining a stable environment on the island.

4. The overall number of military violations committed by the opposing forces during the reporting period has decreased compared with the previous reporting period and has fallen to the lowest level in some years. The opposing forces continue to sporadically employ low-level measures which provoke a reaction from the other side, mostly in the centre of Nicosia. Such incidents appear to be related to ill-discipline rather than a reflection of policy.

5. With regard to the military confidence-building measures proposed by UNFICYP, such as the unmanning and/or closing of observation posts in areas

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where the opposing troops are particularly close to one another, to date the National Guard has worked with UNFICYP on assessing this proposal. As mentioned in my previous report, UNFICYP is still waiting for concrete steps to be taken by the Turkish Forces/Turkish Cypriot Security Forces in this regard. UNFICYP remains committed to reducing tension and military presence in the area of the buffer zone through the implementation of military confidence-building measures, but this requires support from both sides.

6. No major military exercises have been observed during the reporting period. Low-level exercises continue in line with the normal annual routine. At the beginning of the reporting period, the Turkish Forces conducted a regiment-level exercise near their ceasefire line and the Ayios Dometios/Metehan crossing point to the west of Nicosia. For the third successive year, both the National Guard and the Turkish Forces announced the cancellation of their major annual exercises, "Nikiforos" and "Toros", respectively. This is a welcome development in line with the current efforts to create a climate conducive to the ongoing negotiation process.

7. Positions established, in violation of the status quo, by the opposing forces in the Dherinia area, referred to in my previous reports, remain unchanged. The Turkish Forces retain the checkpoint in the Laroujina pocket. The Turkish Forces have continued regular inspections of the liaison post at Strovilia and repeatedly overmanned the position in violation of the military status quo. The situation in Varosha remains unchanged. The United Nations holds the Government of Turkey responsible for the status quo in Varosha.

8. During the reporting period, civilians have continued to routinely challenge the authority of UNFICYP within the buffer zone, although the instances of threatening behaviour and physical confrontation with UNFICYP military personnel have decreased. At the same time, UNFICYP procedures for facilitating civilian construction projects in the buffer zone have been increasingly contested. On several occasions, UNFICYP patrol tracks in the buffer zone or access to it have also been blocked by the placement of debris or civilian vehicles.

B. Demining activity in the buffer zone

9. Demining operations continue to make good progress: 70 of 73 minefields released to UNFICYP have been cleared, with more than 25,500 mines removed and 9.5 square kilometres cleared of mines. Of the 13 mined areas released to UNFICYP by the Turkish Forces immediately prior to my last report, 9 of which were inside and 4 outside the buffer zone, 10 have been cleared. Clearance of the remaining fields is scheduled to be completed by the end of December 2010.

10. With the exception of one remaining Turkish Forces minefield south of Varosha and three National Guard minefields in the Laroujina pocket, all minefields within the buffer zone will have been cleared by the end of 2010. If access to the remaining minefields in the buffer zone cannot be secured, or if agreement cannot be reached with the Turkish Forces or the National Guard to extend demining operations to areas outside the buffer zone, United Nations demining operations will likely cease in February 2011.

C. Restoration of normal conditions and humanitarian functions

11. Cypriots from both sides continued to seek assistance from UNFICYP in addressing day-to-day issues arising from the division of the island, including humanitarian, educational, religious and cultural issues. UNFICYP continues to receive requests relating to issues ranging from the conduct of pilgrimages and other religious observances on both sides and in the buffer zone, and the educational needs of Greek Cypriots in the north and Turkish Cypriots in the south, to the facilitation of medical evacuations and transportation of deceased persons across the buffer zone. UNFICYP routinely facilitates the maintenance of essential infrastructure in the buffer zone, such as roads, waterways and electricity supply, which are used by the population on both sides. It also facilitates the exchange of information between the sides on humanitarian issues, including natural disasters and fires.

12. In a major development, on 14 October a new, seventh, crossing point was opened in the north-west of the island at Limnitis/Yeşilırmak. The opening, which was the culmination of efforts undertaken by both sides over the past two years, was attended by the Greek Cypriot leader, Demetris Christofias, and the Turkish Cypriot leader, Derviş Eroğlu, members of local communities and representatives of the European Union and the United States of America, which have provided major funding support. In their statements, both leaders welcomed the opening of the crossing point as a measure which would contribute to the ongoing peace process. They also commended the United Nations Development Programme (UNDP) for its lead role in implementing the project. On 1 November, the leaders agreed to establish an ad hoc joint committee to facilitate the opening of other crossing points.

13. During the reporting period, UNFICYP recorded more than 750,000 official crossings through the buffer zone, including more than 10,000 at Limnitis/Yeşilırmak. During the period between May and October, goods worth approximately €537,731 crossed from the south to the north, and goods worth approximately €3,326,000 crossed in the opposite direction, which is similar to the levels reported for the same period in 2009.

14. During the reporting period, UNFICYP continued to conduct humanitarian convoys and visits, to 357 Greek Cypriots and 127 Maronites in the north, many of whom are in need of constant medical or in-home care. UNFICYP has encouraged both sides to consider a more systemic response to the needs of this ageing population, which are only growing with each passing year. There have been no new developments regarding the requests of Greek Cypriots and Maronites who seek to return permanently to the north (see S/2010/264, para. 16). UNFICYP continued to facilitate the functioning of the elementary and secondary Greek Cypriot schools in Rizokarpaso, on the Karpas peninsula, through assisting with delivery of school textbooks and the appointment of teachers.

15. UNFICYP also continued to assist Turkish Cypriots living in the south in obtaining welfare services, including basic, essential services, medical care and education. In Limassol and Paphos, it continued to work with the local authorities and community representatives to strengthen support mechanisms for vulnerable members of the Turkish Cypriot community in educational and social areas. There have been no new developments regarding the establishment of a Turkish-language primary school in Limassol. In this connection, UNFICYP has suggested that both

sides review their teaching materials with a view to promoting tolerance and understanding of all communities.

16. As the security situation remains unchanged, the pressure to extend civilian activities into areas within the buffer zone remains intense. Support for such activities, while ensuring stability, law and order and the military status quo, remains one of the main challenges facing UNFICYP. During the reporting period, UNFICYP authorized 33 civilian projects out of 54 applications. While UNFICYP seeks to support the return to normal conditions, lack of adherence to UNFICYP procedures regulating civilian activities in the buffer zone by individuals, companies and, occasionally, local authorities, continues to pose challenges for the implementation of the Mission's mandate. UNFICYP has appealed to the relevant authorities on both sides to provide their fullest support to ensuring respect for its authority in this regard.

17. As part of its efforts to support reconciliation between the communities, UNFICYP, in cooperation with international and local partners, facilitated more than 100 bicommunal events, with the participation of more than 5,000 people. The events, including regular meetings between Greek Cypriot and Turkish Cypriot political party leaders and representatives under the auspices of the Embassy of Slovakia, were held at the Ledra Palace Hotel and other locations in the buffer zone.

18. On 4 November, UNFICYP facilitated a visit by the representatives of the political parties participating in the Ledra Palace Hotel forum to two villages on each side of the buffer zone in the copper-mining region of Lefke-Skouriotissa. Among the issues of common concern to the political parties is the environmental impact of past mining activities and ways to redress the situation. The bicommunal forum members were accompanied by members of the Technical Committee on the Environment, established in 2008 by the two sides to discuss and help resolve this and related issues. The initiative may lend momentum to other projects already on the agenda of the Technical Committee.

19. In addition, a variety of bicommunal activities and joint projects have continued to be carried out by UNDP and its local partners, with funding from the European Commission and the United States Agency for International Development (USAID). The work on the UNDP-supported project proposed by the two Nicosia municipalities under the Nicosia Master Plan for the stabilization of buildings at the Ledra Street/Lokmaçı crossing, to which I referred in my previous report (S/2010/264, para. 12), have continued to advance. UNFICYP also continued to support efforts aimed at stabilizing buildings, which have deteriorated over a long period of time and pose a safety hazard, in the buffer zone in central Nicosia.

20. UNFICYP continued to assist in maintaining good relations and building confidence between the Greek Cypriot and Turkish Cypriot communities in the mixed village of Pyla in the buffer zone. To that end, UNFICYP continued to monitor the long-standing arrangements established between the two communities in Pyla. UNFICYP worked closely with the local leaders of the two communities and assisted in the management of day-to-day affairs through its regular direct communication and mediation role.

21. The Technical Committee on Cultural Heritage and its advisory board, facilitated by UNFICYP, continued to discuss and plan for the preservation, protection and restoration of immovable cultural heritage throughout the island. The

members of the Committee appointed a bicommunal team of specialists to carry out a preliminary survey related to the restoration of a mosque and a church. UNFICYP continued to facilitate access to sites and icons of religious and cultural significance to either community. During the reporting period, UNFICYP facilitated 14 religious and commemorative events which involved crossing the buffer zone in either direction or were held in the buffer zone, with the participation of some 5,650 individuals. Six requests from Greek Cypriots for events in the north were turned down for various reasons, such as the proximity of the event to a military site or the unavailability of the venue owing to its ongoing use, including as a cultural centre or community clinic.

22. The Technical Committee on Crime and Criminal Matters continued to meet regularly with UNFICYP facilitation. On 29 July, the joint communications room moved to its new dedicated premises in the buffer zone, established with financial support from USAID and UNDP. The joint communications room has been functioning on a daily basis since its establishment in May 2009 to facilitate the timely exchange of information on crime and criminal matters. Since the relocation, there has been a substantial increase in the day-to-day operations of the joint communications room and in the number of follow-up enquiries conducted by both sides, leading to more information being provided and exchanged.

23. UNFICYP continued to foster good working relations with the police services on both sides of the island, which remain cooperative and constructive. This was achieved through daily communication between UNFICYP and the police services from both sides in order to further enhance cooperation and to address operational difficulties within the buffer zone. Following the opening of the Limnitis/Yeşilırmak crossing, United Nations police have assisted in escorting regular convoys transporting Turkish Cypriot civilians and humanitarian supplies through the buffer zone to Kokkina/Erenkoy.

24. From 4 to 6 June, Pope Benedict XVI paid an official visit to Cyprus. Owing to the fact that the Pope stayed at the Catholic church located in the buffer zone in Nicosia, UNFICYP participated in the planning and implementation of the protection operation during the visit.

25. The restrictions imposed upon United Nations staff members of Greek Cypriot origin seeking to undertake their duties in the north, noted in previous reports, continued.

III. Committee on Missing Persons in Cyprus

26. During the reporting period, the Committee on Missing Persons continued to pursue its bicommunal project on the exhumation, identification and return of remains of missing persons. By November 2010, the remains of nearly 700 individuals had been exhumed on both sides of the buffer zone by the Committee's bicommunal teams of archaeologists. The remains of over 400 missing persons had undergone examination at the Committee's bicommunal anthropological laboratory in the United Nations Protected Area in Nicosia. Following DNA genetic analysis of 1,233 samples, carried out by a bicommunal team of scientists at the Cyprus Institute of Neurology and Genetics, the remains of 263 individuals, including those of 36 individuals over the reporting period alone, have been returned to their respective families. During the reporting period, the Committee

was able to conduct only a limited number of exhumations in the military areas in the north.

IV. Financial and administrative aspects

27. The General Assembly, by its resolution 64/274 of 24 June 2010, appropriated the amount of $56.3 million for the maintenance of UNFICYP for the period from 1 July 2010 to 30 June 2011, inclusive of the voluntary contribution of one third of the net cost of the Force, equivalent to $17.9 million, from the Government of Cyprus and the voluntary contribution of $6.5 million from the Government of Greece. I invite other countries and organizations to do likewise, with a view to reducing the portion of the cost of UNFICYP covered by assessed contributions.

28. Should the Security Council decide to extend the mandate of UNFICYP for a further period of six months, the cost of maintaining the Force would be limited to the amount approved by the General Assembly.

29. As at 31 October 2010, the total outstanding assessed contributions to the special account for UNFICYP for the period from 16 June 1993 to 31 October 2010 amounted to $15.1 million. The total outstanding assessed contributions for all peacekeeping operations as at the same date amounted to $2,919.5 million.

30. Reimbursement of troop- and contingent-owned equipment costs has been made for the periods up to 31 August 2010 and 30 June 2010, respectively, in accordance with the quarterly payment schedule.

V. Observations

31. During the reporting period, the situation in the buffer zone remained calm and relations between UNFICYP and the opposing forces remained good and cooperative. The overall number of violations has declined. Low-level exercises near the ceasefire lines unnecessarily cause tensions and should be avoided. I hope that discussions on military confidence-building measures initiated by UNFICYP will enjoy the support and cooperation of both opposing forces and produce tangible results. Such a development would provide the best possible backdrop to the ongoing negotiations.

32. Regrettably, restrictions on the movement of locally employed United Nations civilian personnel continue. Freedom of movement for all United Nations personnel is a matter of principle for the Organization and an operational requirement for UNFICYP, and I call on the Turkish Cypriot authorities to respect that principle.

33. The UNFICYP mandate to contribute to the restoration of normal conditions entails the facilitation of an increasingly wide range of civilian activities. As documented above, both communities have continued to rely on UNFICYP assistance in areas ranging from humanitarian, social and economic matters to a variety of bicommunal issues affecting the everyday lives of Cypriots. UNFICYP continued to work closely with the two communities in resolving practical day-to-day issues, including the civilian use of the buffer zone. Such efforts are important in building confidence and positive relations between the communities, and I call on both sides to continue to support UNFICYP in that regard.

34. UNFICYP has been instrumental in facilitating cooperation between the sides in the field of cultural heritage and crime and criminal matters, including in the implementation of concrete measures agreed in the respective Technical Committees. In the area of cultural heritage, it is important that all parties lend their full support to the implementation of agreed measures aimed at preserving the rich common cultural heritage of Cyprus. With regard to crime and criminal matters, I welcome the increase in the exchange of information between the two sides, not only as a reflection of a growing mutual trust but also as a significant contribution towards producing tangible results for the common security of all Cypriots.

35. I commend the leaders, Mr. Christofias and Mr. Eroğlu, for the opening of the new crossing point at Limnitis/Yeşilırmak. This important and long-awaited development is a tangible confidence-building measure and will improve the daily lives of many Cypriots. The creation of a joint committee to consider the establishment of other crossing points is a welcome sign of political will to bring the communities closer together. It is important that efforts in this direction be pragmatic and results-oriented, with a view to enabling further social and economic interaction between the two sides.

36. I remain of the view that the establishment of economic, social, cultural, sporting or similar ties and contacts will have a positive impact on the ongoing negotiations. Such contacts nurture a sentiment of trust between the communities and help address the concerns of isolation expressed by the Turkish Cypriots. Furthermore, greater economic and social parity between the sides will make the eventual reunification not only easier but also more likely. In the context of an internationally sanctioned peace process, efforts in the opposite direction can only be counterproductive.

37. I am pleased to report that the humanitarian work of the Committee on Missing Persons continues largely unhindered. I urge all parties concerned to continue all efforts to prevent the work of the Committee from being politicized. Complete access to military areas in the north for the purposes of exhumation remains crucial. I urge the Turkish Forces to adopt a more forthcoming approach, given the humanitarian dimension of the issue.

38. The demining in the buffer zone, which has continued apace and is now nearing completion, is at a critical juncture. Access to the last four mined areas in the buffer zone has not yet been granted by the National Guard or the Turkish Forces. I call upon the parties to release those areas so that a mine-free buffer zone may be delivered for all Cypriots within the time frame of the current project. The United Nations stands ready to further assist the parties in their aspiration to achieve a mine-free Cyprus.

39. It is my firm belief that UNFICYP continues to play an important role on the island, all the more so at this sensitive juncture of the talks. The Mission works closely with the Office of my Special Adviser and other United Nations agencies and programmes which are actively engaged in promoting an atmosphere conducive to the negotiations. I recommend, therefore, that the Security Council extend the mandate of UNFICYP for six months, until 15 June 2011.

40. In line with the Security Council's requests, most recently in its resolution 1930 (2010), the Secretariat will remain engaged in contingency planning in relation to the settlement. The planning will continue in a flexible manner and will be guided

by developments in the negotiations and the views of the parties on the possible role of the United Nations in this respect.

41. At the same time, mindful of the Council's previous calls and my stated intention to keep all peacekeeping operations under review, I shall continually keep the operations of UNFICYP under close review, taking into account developments on the ground and the views of the parties, and shall revert to the Council with recommendations, as appropriate, for further adjustments to the UNFICYP mandate, force levels and concept of operations as soon as warranted. Furthermore, as I informed the Council in my report dated 24 November 2010 (S/2010/603), I plan, in the coming months, to conduct a broader assessment of the United Nations presence in Cyprus, with a view to recommending ways to further adjust to ongoing developments.

42. In conclusion, I would like to express my gratitude to my newly appointed Special Representative and Chief of Mission, Ms. Lisa Buttenheim, the Force Commander, Rear Admiral Mario César Sánchez Debernardi, and to the men and women serving in UNFICYP for the efficiency and commitment with which they have discharged the responsibilities entrusted to them by the Security Council.

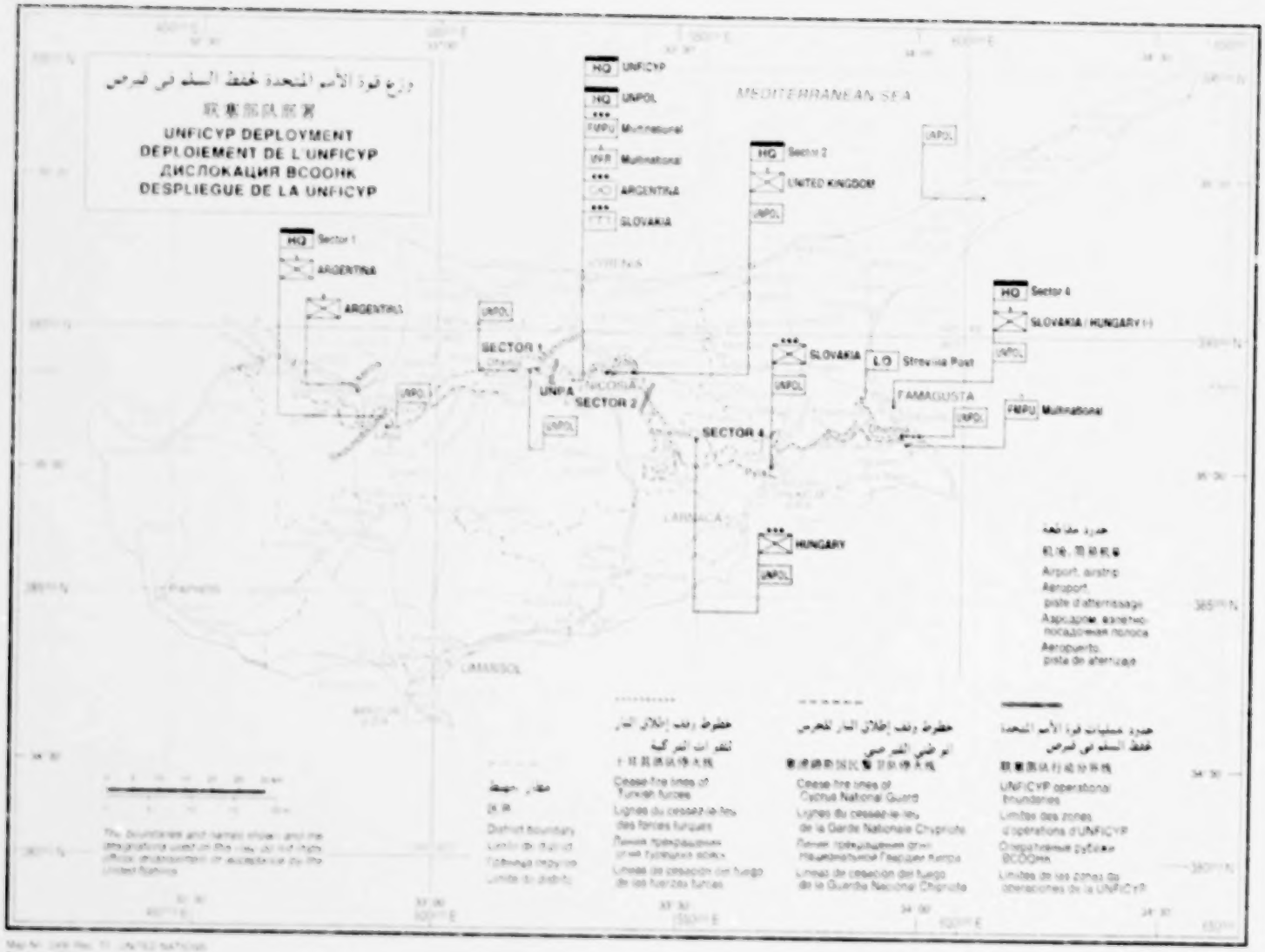
Annex

Countries providing military and civilian police personnel to the United Nations Peacekeeping Force in Cyprus (as at 31 October 2010)

Country	*Military personnel*
Argentina[a]	297
Austria	4
Canada	1
Hungary[b]	84
Peru[c]	2
Slovakia[d]	200
United Kingdom of Great Britain and Northern Ireland	271
Total	**859**

	United Nations police
Australia	15
Bosnia and Herzegovina	3
Croatia	4
El Salvador	8
India	7
Ireland	18
Italy	3
Montenegro	2
Netherlands	4
Ukraine	4
Total	**68**

[a] The Argentine contingent includes soldiers from Chile (15), Paraguay (14) and Brazil (1).
[b] The Hungarian contingent includes soldiers from Serbia (7).
[c] Peru is using one vacant British post in UNFICYP headquarters.
[d] The Slovakian contingent includes soldiers from Croatia (2).



Map No. [illegible] Rev. 11 UNITED NATIONS
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Department of Field Support
Cartographic Section